IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 2117 of 2007(S)

MC.226/2006 of FAMILY COURT, KOTTARAKKARA
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PETITIONER:

ABDUL RAHIM, AGED 57 YEARS,
S/O.SHAHUL HAMEED, A.R.TRADERS, MEEYANNA
VILAYIL VEEDU, VELINALLOOR, P.O.KOTTARAKKARA.

BY ADV. SRI.K.KARTHIKEYA PANICKER
SMT.DAYA K. PANICKER

RESPONDENTS:
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1. RUKIYA BEEVI, AGED 45 YEARS,
W/O.ADBUL RAHIM, A.R.MANZIL,
MEEYYANNA VILAYIL VEEDU, VELINALLOOR P.O.,
KOTTARAKKARA.

2. RAFEEK.A.R., AGED 17 YEARS,
D/O.RUKIYA BEEVI, A.R.MANZIL,
MEEYYANNA VILAYIL VEEDU, VELINALLOOR P.O.,
KOTTARAKKARA.

3. SHAFEEK.A.R., AGED 12 YEARS,
S/O.RUKIYA BEEVI, A.R.MANZIL,
MEEYYANNA VILAYIL VEEDU, VELINALLOOR P.O.,
KOTTARAKKARA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER, JJ.

W.P.(C) No.2117 of 2007

Dated 18th January, 2007.

J U D G M E N T

Basheer, J.

The respondent/husband in a proceedings under Section 125 of the Code of Criminal Procedure impugns the award of interim maintenance to his wife and children, in this writ petition filed under Article 227 of the Constitution of India. It is contended by him that the court below was not justified in awarding interim maintenance without considering the materials on record.

2. We have carefully perused the pleadings and the documents produced by the petitioner before us. Having regard to the entire facts and circumstances, we do not find any reason to interfere with the impugned order.

3. The court below shall, however dispose of the main petition as expeditiously as possible, at any rate, within six months from the date of receipt of a copy of this judgment,

untrammelled by the findings entered in the impugned order.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

A.K.BASHEER, JUDGE.

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KURIAN JOSEPH & A.K.BASHEER, JJ

W.P.(C) NO. OF 2004

J U D G M E N T

Dated 18th January, 2007.